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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM MONTE DAVIS,

Defendant.

No. CR 11-0337 MMC

STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING DECEMBER 5,
2012 HEARING TO DECEMBER 12, 2012
AND EXCLUDING TIME UNDER
SPEEDY TRIAL ACT COMPUTATION

Defendant William Monte Davis and the government, through undersigned counsel, appeared before the Honorable Maria-Elena James on December 4, 2012 for a settlement conference in this matter. Defendant William Monte Davis was present with his defense attorney, James Phillip Vaughns. The parties jointly request that the December 5, 2012 hearing before the Honorable Maxine M. Chesney be continued to December 12, 2012 at 2:15 p.m., for a change of plea.

Defendant William Monte Davis and the government, through undersigned counsel, also stipulate to the exclusion of time for effective preparation of counsel under the Speedy Trial Act

PLEA AGREEMENT
CR 11-0337 MMC

as to Defendant William Monte Davis from December 5, 2012 up to and including December 12, 2012 – i.e., the date the parties have requested for a change of plea hearing.

Dated: December 4, 2012

JAMES PHILLIP VAUGHNS
Attorney for Defendant

MELINDA HAAG
United States Attorney

Dated: December 4, 2012

CHINHAYI COLEMAN CADET
Assistant United States Attorney

~~PROPOSED~~ ORDER

Based upon the above stipulation, and for good cause appearing, THE COURT ORDERS THAT:

1. The hearing scheduled in this matter for December 5, 2012 at 2:15 p.m. is hereby continued to **December 12, 2012 at 2:15 p.m.**, for a change of plea.

2. Time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 from December 5, 2012 up to and including December 12, 2012 for effective preparation of defense counsel. Failure to grant the requested continuance would unreasonably deny defense counsel the time necessary for effective preparation, taking into account the exercise of due diligence.

3. Given these circumstances, the Court finds that the ends of justice served by excluding the period from December 5, 2012 up to and including December 12, 2012 outweigh the best interest of the public and the defendant in a speedy trial. 19 U.S.C. § 3161(h)(7)(A).

4. Accordingly, and with the consent of the defendant, the Court orders that the period from December 5, 2012 up to and including December 12, 2012 be excluded from the Speedy Trial Act calculations as to the defendant under 18 U.S.C. §§ 3161(h)(7)(A) & (B)(iv).

Dated: December 4, 2012

Maxine M. Cheney
HONORABLE MAXINE M. CHENEY
United States District Judge

PLEA AGREEMENT
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